

**IN THE CLAIMS:**

1    1. (Original) A fluid controlling assembly for use in a direct oxidation fuel cell,  
2    which fuel cell has an anode chamber and a cathode chamber, the assembly comprising:  
3    an adjustable component at least a portion of which is disposed within the cathode cham-  
4    ber of the fuel cell, and said component, when adjusted, regulates the rate at which fluids  
5    travel into and out of the cathode chamber of the fuel cell.

1    2. - 6. (Cancelled)

1    7. (Original) A fluid controlling assembly for use in a direct oxidation fuel cell,  
2    comprising:  
3         (i) a first component that includes an aperture disposed in a cathode chamber  
4         of the direct oxidation fuel cell; and  
5         (ii) a corresponding second component such that placement of the first com-  
6         ponent relative to the second component results in an opening that permits the  
7         flow of fluids therethrough, and when closed restricts the flow of fluids into the  
8         cathode chamber.

1    8. (Original) The fluid controlling assembly as defined in claim 7 further compris-  
2    ing said first and second components are generally planar components that include corre-  
3    sponding apertures, which when aligned create openings and said first and second com-  
4    ponents can be adjusted relative to one another to control the rate of fluid flow through  
5    said openings.

1    9. (Original) The fluid controlling assembly as defined in claim 8 further compris-  
2    ing said apertures of said first and second components being lined with a gas permeable,  
3    liquid impermeable film that controls the rate of flow of oxygen therethrough to control

4 the cathode reactions, yet restricts the flow of liquid water therethrough such that humid-  
5 ity is maintained within the cathode chamber.

1 10 (Original) The fluid controlling assembly as defined in claim 7 further compris-  
2 ing a control system for variably actuating the position of at least one of said first and sec-  
3 ond components of said fluid controlling assembly.

1 11. – 26. (Cancelled)